

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 3051

**Introduced by Committee on Labor and Employment (Koretz
(Chair), Chan, Chu, Klehs, Laird, and Leno)**

March 1, 2006

An act to add Section 90.6 to the Labor Code, relating to labor law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

AB 3051, as amended, Committee on Labor and Employment. Economic and Employment Enforcement Coalition.

Existing law establishes the Economic and Employment Enforcement Coalition, a multiagency labor law enforcement unit, which is comprised of the Division of Labor Standards Enforcement and the Division of Occupational Safety and Health within the Department of Industrial Relations, the Employment Development Department, and the Contractors' State License Board.

This bill would require the Labor and Workforce Development Agency to submit a report to the Legislature by March 1 of each year describing the overall effectiveness of the coalition and quantifying the results of the coalition's enforcement activities, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 90.6 is added to the Labor Code, to
2 read:

1 90.6. The Labor and Workforce Development Agency shall
2 annually, not later than March 1, submit a report to the
3 Legislature describing the effectiveness of the Economic and
4 Employment Enforcement Coalition, created by Item
5 7350-001-0913 of Section 2.00 of Chapter 38 of the Statutes of
6 2005. The report shall include, but not be limited to, all of the
7 following:

8 (a) For each targeted industry investigated by the coalition:

9 (1) The number of establishments investigated.

10 (2) The number of investigations in which an audit of wages
11 was conducted *and the number of individual worker cases that*
12 *were audited.*

13 (3) The number and types of violations found, including, but
14 not limited to, the number of minimum wage and overtime
15 violations found, *the number of meal and rest period violations*
16 *found, and the number of workplace health and safety violations*
17 *found.*

18 (4) The amount of wages found to be unlawfully withheld
19 from workers *and the type of wages withheld, such as wages that*
20 *were regularly earned but unpaid, minimum wages, or overtime*
21 *wages.*

22 (5) The amount of unpaid wages recovered for workers, *the*
23 *type of wages recovered, and the manner in which those wages*
24 *were recovered, such as whether the wages were recovered*
25 *through a voluntary settlement or a formal adjudication.*

26 ~~(6) The number of citations for retaliation that were issued.~~

27 (6) *The number of workers who recovered unpaid wages.*

28 (7) *The number of complaints for retaliation that were filed by*
29 *workers in the six months following a coalition investigation and*
30 *the results of the investigation of those complaints.*

31 (8) *The number and type of cases referred by the coalition for*
32 *criminal prosecution.*

33 (b) An explanation of the performance measures or other
34 effectiveness criteria employed by the coalition.

35 (c) An evaluation of the effectiveness of the coalition utilizing
36 the performance measures or other effectiveness criteria
37 employed by the coalition.